

Notice of Allowability

Application No.

09/739,666

Examiner

Cheukfan Lee

Applicant(s)

YAMAMOTO, HIROYASU

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed February 16, 2007.
2. ☒ The allowed claim(s) is/are 1-22 and 25-27, now renumbered 1-11, 13, 12, and 14-25, respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


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1. Attorney Susan P. Pan authorized a charge of \$120.00 for **EXTENSION OF ONE MONTH** to Deposit Account No. 19-4880, in a telephone conversation on March 13, 2007, in order for an examiner's amendment to be entered.

During the same telephone conversation, Attorney Pan authorized the **EXAMINER'S AMENDMENT** to be addressed below. Ms. Pan agreed to delete "at least" from the phrase "at least one of a) and b)" in claims 25 and 27 to avoid a possible rejection under 35 U.S.C. 112, first paragraph. Since the phrase "performing at least one of a) and b)" means performing a), or performing b), or performing both a) and b), the specification does not show support for "performing both a) and b)" because the two embodiments described in a) and b) of claims 25 and 27 are mutually exclusive embodiments corresponding to Figs. 1 and 5, respectively.

2. **Examiner's Amendment:**

Please amend claims 25 and 27 as follows:

In claim 25, line 8, delete "at least".

In claim 27, line 8, delete "at least".

3. Claims 1-22 and 25-27 are allowed. Claims 1 and 25-27 are independent.

Claims 15-21 previously withdrawn from consideration are allowable because claims 15-21 depend on allowed claim 1, directly or indirectly.

4. The following is an examiner's statement of reasons for allowance:

Independent claims 1 and 25 have been amended to include the allowable subject matter of now canceled claim 23, i.e., "wherein returning the forward end of said film comprises transporting the forward end through a path not containing the image reading position". As addressed in section 7 of the Final Office Action mailed October 18, 2006, the closest prior art Jamzadeh et al. (U.S. Patent No. 5,504,583) does not disclose this limitation. Jamzadeh et al. does not show a path not containing the image reading position, a path through which the forward end of the film is transported to return.

Claims 2-22 depend on claim 1, directly or indirectly.

Independent claims 26 and 27 have been amended to include the allowable subject matter of now canceled claim 23, i.e., "wherein returning the forward end of said film comprises transporting the forward end on a path different from a physical location of said read and transport path". As addressed in section 7 of the Final Office Action mailed October 18, 2006, the closest prior art Jamzadeh et al. (U.S. Patent No. 5,504,583) does not disclose this limitation. Jamzadeh et al. does not show a path different from a physical location of the read and transport path, a path through which the forward end of the film is transported to return.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

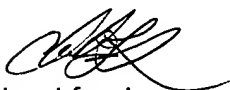
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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cheukfan Lee
March 13, 2007